



US Army Corps  
of Engineers  
Alaska District

# Public Notice of Application for Permit

Regulatory Branch (1145b)  
Post Office Box 6898  
Elmendorf AFB, Alaska 99506-6898

PUBLIC NOTICE DATE: 12 March 2004

EXPIRATION DATE: 12 April 2004

REFERENCE NUMBER: POA-2003-1356-4

WATERWAY NUMBER: Klatt Bog

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States as described below and shown on the attached plan.

APPLICANT: Municipality of Anchorage, Project Management and Engineering,  
P.O. Box 196650, Anchorage, Alaska 99519-6650.

LOCATION: 100<sup>th</sup> Avenue between Minnesota Drive and King Street in Township 12 N., Range 4 W., Section 13, Seward Meridian and Township 12 N., Range 3 W., Section 18, Seward Meridian at Latitude 61°5'30", Longitude 149°50'45".

WORK: Place approximately 16,850 cubic yards of Type II borrow material into approximately 3.1 acres of wetland to surcharge approximately 0.45 miles of road transecting North Klatt Bog. Surcharge would be approximately 75-foot wide and 10-foot deep and placed on geosynthetic fabric with side slopes of 1.5:1. Following the surcharge, remove and haul offsite approximately one foot of excess material. Permanent discharge would be placed into 2.7 acres of wetland that retains approximately 13,250 cubic yards of Type II borrow material, and adds 7,200 cubic yards of Type IIA borrow, 1,150 cy of Asphalt, and 620 cy of topsoil.

PURPOSE: Construct a collector roadway and pedestrian trail on the 100<sup>th</sup> Avenue alignment.

ADDITIONAL INFORMATION:

The road would be approximately 0.9 mile long with two 12-foot wide travel lanes, 6-foot wide paved shoulders, and an 8-foot pedestrian trail separated from the shoulder with a 7-foot offset. The final embankment would have 2:1 side slopes. The finished top width of the project would be 51 feet; the total width would be approximately 70.5 feet. The width of the surcharge would be 75 feet - approximately 4.5 feet beyond the final road footprint (approximately 0.4 acres). The surcharge is anticipated to be in place for 60 days. Fill for the construction of 100<sup>th</sup> Avenue would come from a commercially available source. No fill will be obtained from or stockpiled in wetlands and no excavated material will be disposed of in wetlands, unless the area has the necessary authorizations.

The Municipality anticipates providing access from adjacent properties onto 100<sup>th</sup> Avenue. Anticipated driveway access from 100<sup>th</sup> Avenue includes: access to the Municipal snow storage facility (although existing access will be moved further from the "C" Street interchange), access to the undeveloped site to the south of the snow storage facility, access to the commercial properties north and south of 100<sup>th</sup> Avenue to east of "C" Street (a minimum of two driveways to each property), and access to the Anchorage Christian Center. Driveway access to adjacent properties within wetland areas would require authorization from the Corps and a development site plan from the Anchorage Building Safety Division. Access to Laurel Acres Subdivision is platted to Arctic Boulevard, 92<sup>nd</sup> Avenue, and 100<sup>th</sup> -- which are not yet constructed, and the Minnesota Drive frontage road. Driveway access to the Municipality's parkland may occur in the future. Construction of 100<sup>th</sup> Avenue is anticipated to begin in the summer of 2005 and be completed in the summer of 2007.

MITIGATION: The applicant has incorporated the following mitigation efforts into the proposed project to reduce impacts to the aquatic environment:

(1) The side slopes of the collector road will be 2:1; (2) work limits will be clearly staked prior to ground disturbance; (3) vegetation will not be cleared outside the surcharge fill limits; (4) silt fences will be installed and maintained near the toe of the surcharge embankment fill; (5) ground disturbance will not occur from April 15 to July 15 to protect nesting birds; (6) road embankment side slopes will be stabilized with grass species indigenous to south-central Alaska as soon as possible after final grading, although annual rye grass may be used for initial stabilization; (7) water-impermeable barriers will be constructed across the road fill prism to prevent east-west migration of water through the road fill; (8) large culverts will be installed to allow cross drainage after surcharged material is removed; and (9) to help hydrate Klatt Bog, both storm water runoff from adjacent upland areas will be routed westward along 100<sup>th</sup> Avenue and discharged into the bog after treatment in vegetative filter strips as will stormwater runoff from the section of the road passing through the bog.

WATER QUALITY CERTIFICATION: A permit for the described work will not be issued until a certification or waiver of certification as required under Section 401 of the Clean Water Act (Public Law 95-217), has been received from the Alaska Department of Environmental Conservation.

COASTAL ZONE MANAGEMENT ACT CERTIFICATION: Section 307(c)(3) of the Coastal Zone, Management Act of 1972, as amended by 16 U.S.C. 1456(c)(3), requires the applicant to certify that the described activity affecting land or water uses in the Coastal Zone complies with the Alaska Coastal Management Program. A permit will not be issued until the Office of Project Management and Permitting, Department of Natural Resources has concurred with the applicant's certification.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, reasons for holding a public hearing.

CULTURAL RESOURCES: The latest published version of the Alaska Heritage Resources Survey (AHRS) has been consulted for the presence or absence of historic properties, including those listed in or eligible for inclusion in the National Register of Historic Places. There are no listed or eligible properties in the vicinity of the worksite. Consultation of the AHRS constitutes the extent of

cultural resource investigations by the District Engineer at this time, and he is otherwise unaware of the presence of such resources. This application is being coordinated with the State Historic Preservation Office (SHPO). Any comments SHPO may have concerning presently unknown archeological or historic data that may be lost or destroyed by work under the requested permit will be considered in our final assessment of the described work.

TRIBAL CONSULTATION: The Alaska District fully supports tribal self-governance and government-to-government relations between the Federal government and Federally recognized Tribes. This notice invites participation by agencies, Tribes, and members of the public in the Federal decision-making process. In addition, Tribes with protected rights or resources that could be significantly affected by a proposed Federal action (e.g., a permit decision) have the right to consult with the Alaska District on a government-to-government basis. Views of each Tribe regarding protected rights and resources will be accorded due consideration in this process. This Public Notice serves as notification to the Tribes within the area potentially affected by the proposed work and invites their participation in the Federal decision-making process regarding the protected Tribal right or resource. Consultation may be initiated by the affected Tribe upon written request to the District Engineer during the public comment period.

ENDANGERED SPECIES: No threatened or endangered species are known to use the project area.

Preliminarily, the described activity will not affect threatened or endangered species, or their critical habitat designated as endangered or threatened, under the Endangered Species Act of 1973 (87 Stat. 844). This application is being coordinated with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service. Any comments they may have concerning endangered or threatened wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

ESSENTIAL FISH HABITAT: The proposed work is being evaluated for possible effects to Essential Fish Habitat (EFH) pursuant to the Magnuson Stevens Fishery Conservation and Management Act of 1996 (MSFCMA), 16 U.S.C. et seq and associated federal regulations found at 50 CFR 600 Subpart K. The Alaska District includes areas of EFH as Fishery Management Plans. We have reviewed the January 20, 1999, North Pacific Fishery Management Council's Environmental Assessment to locate EFH area as identified by the National Marine Fisheries Service (NMFS).

We have determined that the described activity within the proposed area will not adversely affect EFH, including anadromous fish and federally managed fishery resources.

SPECIAL AREA DESIGNATION: None.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the proposed activity and its intended use on the public interest. Evaluation of the probable impacts, which the proposed activity may have on the public interest, requires a careful weighing of all the factors that become relevant in each particular case. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. The decision whether to authorize a proposal, and if so, the conditions under which it will be allowed to occur, are therefore determined by the outcome of the general balancing process. That decision should reflect the national concern for both protection and utilization of important resources.

All factors, which may be relevant to the proposal, must be considered including the cumulative effects thereof. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving 404 discharges, a permit will be denied if the discharge that would be authorized by such permit would not comply with the Environmental Protection Agency's 404(b)(1) guidelines. Subject to the preceding sentence and any other applicable guidelines or criteria (see Sections 320.2 and 320.3), a permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Comments on the described work, with the reference number, should reach this office no later than the expiration date of this Public Notice to become part of the record and be considered in the decision. **Please contact Dr. Maureen McCrea at (907) 753-2724, toll free from within Alaska at (800) 478-2712, or by email at maureen.mccrea@poa02.usace.army.mil if further information is desired concerning this notice.**

**AUTHORITY:** This permit will be issued or denied under the following authorities:

(X) Discharge dredged or fill material into waters of the United States - Section 404 Clean Water Act (33 U.S.C. 1344). Therefore, our public interest review will consider the guidelines set forth under Section 404(b) of the Clean Water Act (40 CFR 230).

A plan, Notice of Application for Certification of Consistency with the Alaska Coastal Management Program, and Notice of Application for State Water Quality Certification are attached to this Public Notice.

District Engineer  
U.S. Army, Corps of Engineers

Attachments

PROJECT AREA

VICINITY MAP

*File No: POA-2003-1356-4*

Name: Municipality of Anchorage  
Project Management & Engineering  
P.O. Box 196650

Anchorage Alaska 99519-6650

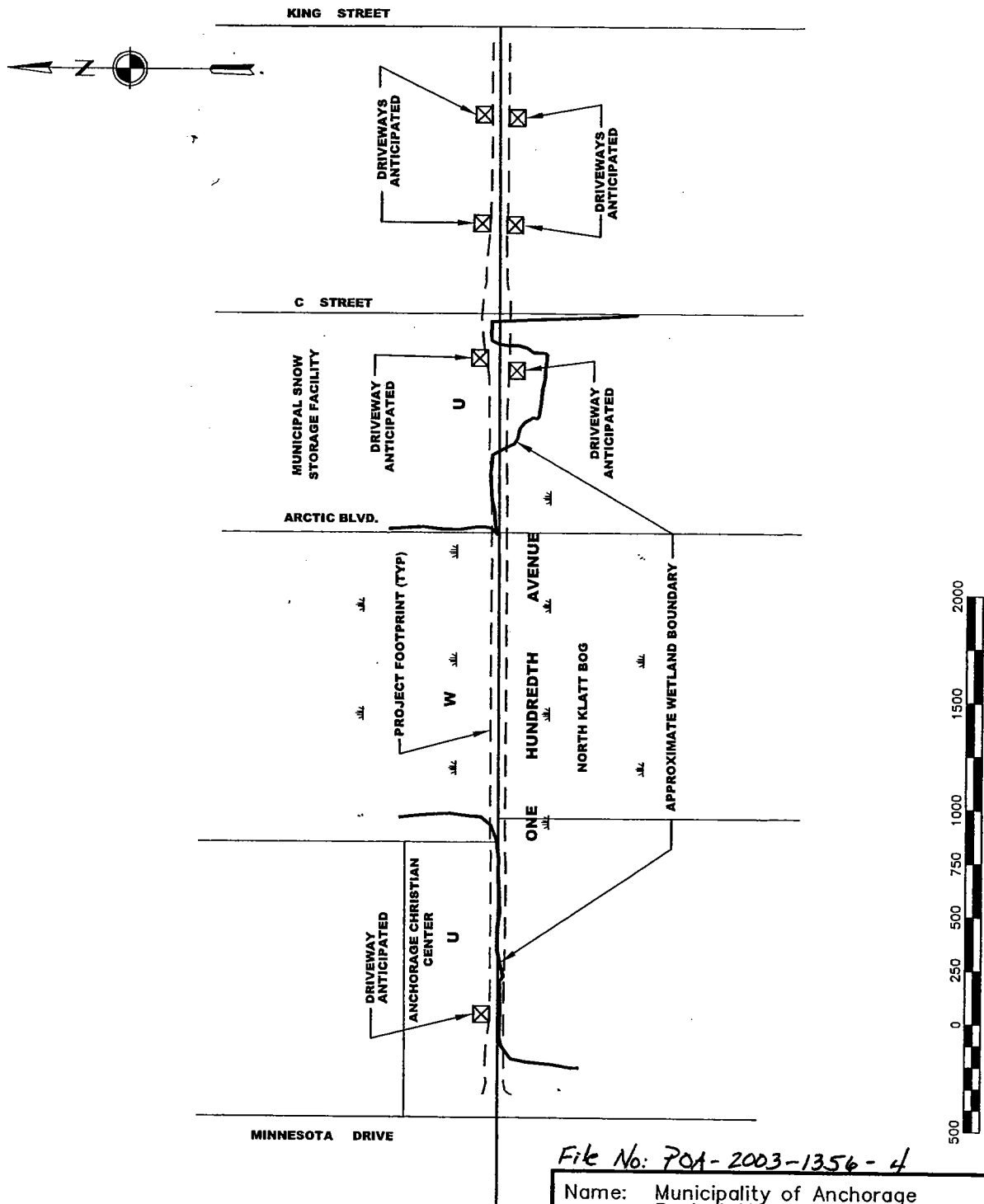
Project: 100th Avenue Extension  
Minnesota Drive to King Street



Location: Anchorage, Alaska  
T. 12N, R. 4W, Section 13, S.M.  
T. 12N, R. 3W, Section 18, S.M.

Waterbody: North Klatt Bog

Sheet: 1 of 5

Date: May 1, 2003



- U** = Upland  
**W** = Wetland  
 = Wetland Vegetation  
 = Driveway

## **PROJECT PLAN** with Anticipated Driveways

File No: POA-2003-1356-4

Name: Municipality of Anchorage  
 Project Management & Engineering  
 P.O. Box 196650  
 Anchorage Alaska 99519-6650

Project: 100th Avenue Extension  
 Minnesota Drive to King Street

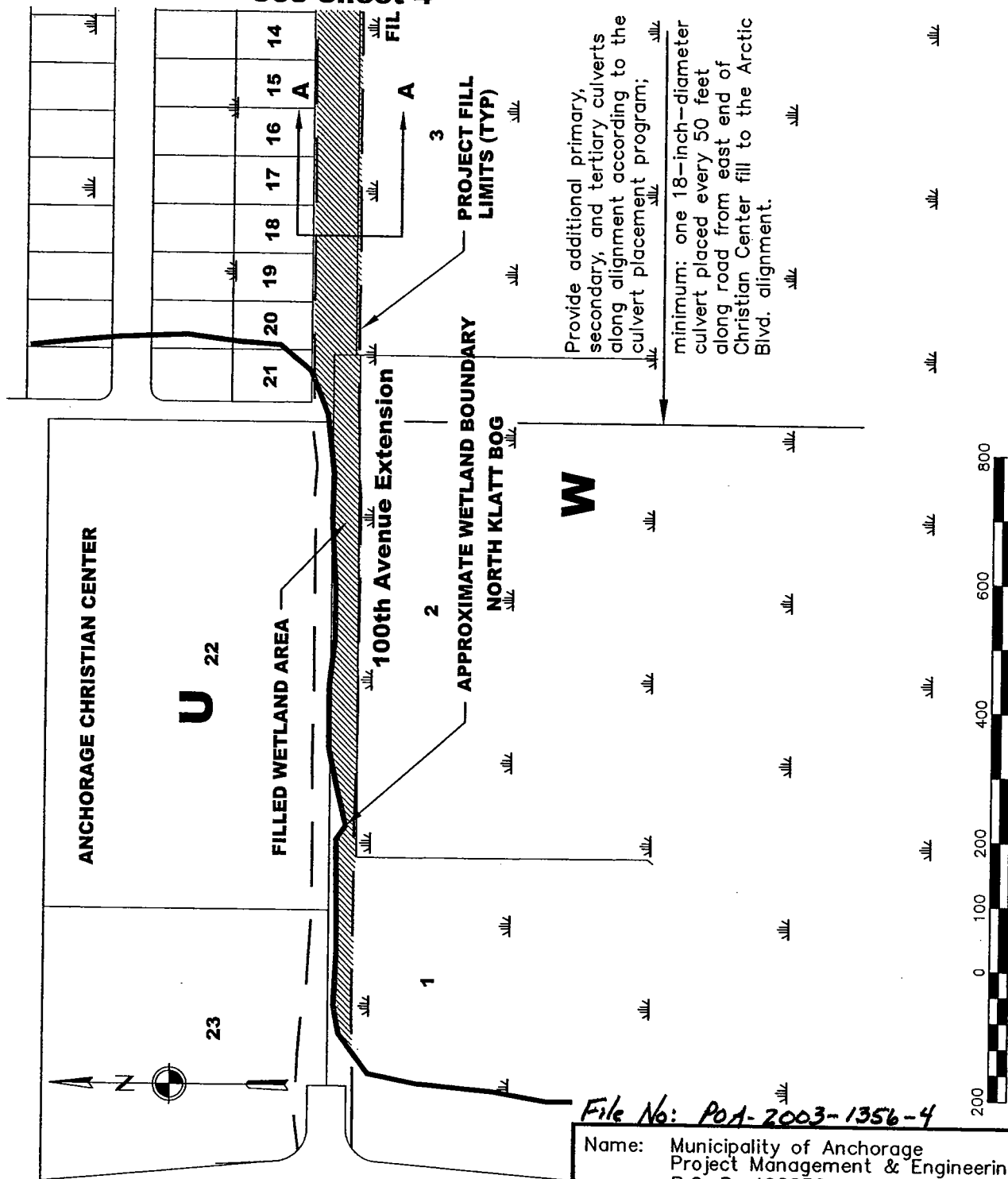
Location: Anchorage, Alaska  
 T. 12N, R. 4W, Section 13, S.M.  
 T. 12N, R. 3W, Section 18, S.M.

Waterbody: North Klatt Bog

Sheet: 1 of 5

Date: May 1, 2003

See Sheet 4



W = Wetland  
23 = Parcel Number

# DETAILED PROJECT PLAN

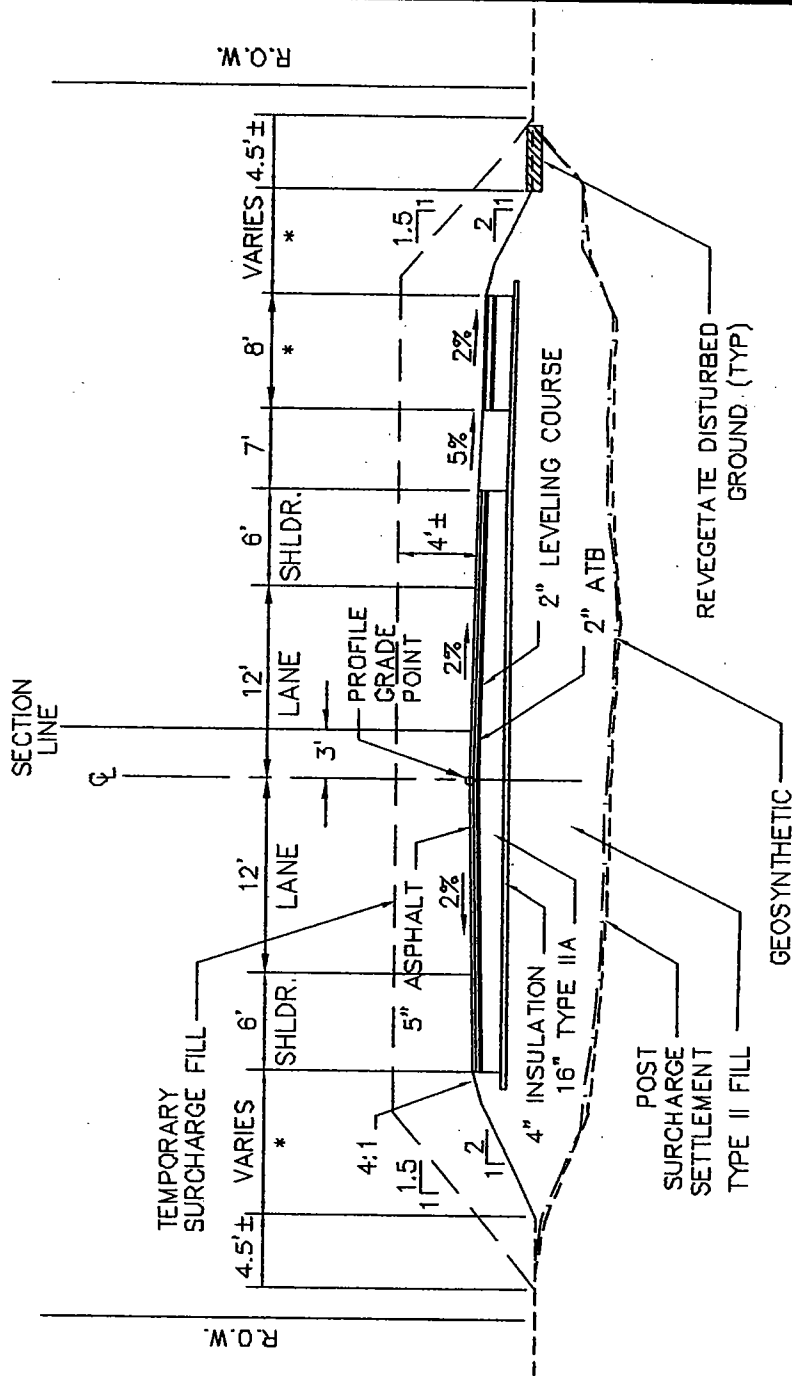
File No: POA-2003-1356-4

Name: Municipality of Anchorage  
Project Management & Engineering  
P.O. Box 196650  
Anchorage Alaska 99519-6650  
Project: 100th Avenue Extension  
Minnesota Drive to King Street  
Location: Anchorage, Alaska  
T. 12N, R. 4W, Section 13, S.M.  
T. 12N, R. 3W, Section 18, S.M.  
Waterbody: North Klatt Bog  
Sheet: 3 of 5  
Date: Jan 2, 2004





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\* LANDSCAPE WITH TOPSOIL AND SEED

## TYPICAL CROSS-SECTION A-A

File No: POA-2003-1356-4

Name: Municipality of Anchorage  
Project Management & Engineering  
P.O. Box 196650  
Anchorage Alaska 99519-6650  
Project: 100th Avenue Extension  
Minnesota Drive to King Street  
Location: Anchorage, Alaska  
T. 12N, R. 4W, Section 13, S.M.  
T. 12N, R. 3W, Section 18, S.M.  
Waterbody: North Klatt Bog  
Sheet: 5 of 5  
Date: May 1, 2003

# STATE OF ALASKA

OFFICE OF THE GOVERNOR

## DEPT. OF ENVIRONMENTAL CONSERVATION

### DIVISION OF WATER

Non-Point Source Water Pollution Control Program  
401 Certification Program

### NOTICE OF APPLICATION FOR STATE WATER QUALITY CERTIFICATION

Any applicant for a federal license or permit to conduct an activity that might result in a discharge into navigable waters, in accordance with Section 401 of the Clean Water Act of 1977 (PL95-217), also must apply for and obtain certification from the Alaska Department of Environmental Conservation that the discharge will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. By agreement between the U.S. Army Corps of Engineers and the Department of Environmental Conservation, application for a Department of the Army permit to discharge dredged or fill material into navigable waters under Section 404 of the Clean Water Act also may serve as application for State Water Quality Certification.

Notice is hereby given that the application for a Department of the Army Permit described in the Corps of Engineers' Public Notice number; **POA-2003-1356-4, Klatt Bog**, serves as application for State Water Quality Certification from the Department of Environmental Conservation.

After reviewing the application, the Department may certify that there is reasonable assurance that the activity, and any discharge that might result, will comply with the Clean Water Act, the Alaska Water Quality Standards, and other applicable State laws. The Department also may deny or waive certification.

Any person desiring to comment on the project with respect to Water Quality Certification may submit written comments within 30 days of the date of the Corps of Engineer's Public Notice to:

Department of Environmental Conservation  
WQM/401 Certification  
555 Cordova Street  
Anchorage, Alaska 99501-2617  
Telephone: (907) 269-7564  
FAX: (907) 269-7508

Attachment

# STATE OF ALASKA

**DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF PROJECT MANAGEMENT AND PERMITTING**

ALASKA COASTAL ZONE MANAGEMENT  
550 WEST 7<sup>TH</sup> AVENUE, SUITE 1660  
ANCHORAGE, ALASKA 99501-3568

**NOTICE OF APPLICATION  
FOR  
CERTIFICATION OF CONSISTENCY WITH THE  
ALASKA COASTAL MANAGEMENT PROGRAM**

Notice is hereby given that a request is being filed with the Office of Project Management and Permitting for a consistency determination, as provided in Section 307(c)(3) of the Coastal Zone Management Act of 1972, as amended [16 U.S.C. 1456(c)(3)], that the project described in the Corps of Engineers Public Notice No. **POA-2003-1356-4, Klatt Bog**, will comply with the Alaska Coastal Management Program and that the project will be conducted in a manner consistent with that program.

This project is being reviewed for consistency with the Alaska Coastal Management Program. Written comments about the consistency of the project with the applicable ACMP statewide standards and district policies must be submitted to the Office of Project Management and Permitting. For information about this consistency review, contact OPMP at (907) 257-1351, or visit the ACMP web site at <http://www.alaskacoast.state.ak.us>.

Attachment